

and Pub. L. 110-246, §4(a), title I, §1405, June 18, 2008, 122 Stat. 1664, 1718.)

#### Editorial Notes

##### REFERENCES IN TEXT

The date of enactment of this section, referred to in subsec. (b), is the date of enactment of Pub. L. 110-246, which was approved June 18, 2008.

##### CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

Section 1405 of Pub. L. 110-246, which directed that this section be added at the end of subtitle E of the Federal Agriculture Improvement and Reform Act of 1996, was executed by adding this section at the end of subtitle E of title I of that Act, to reflect the probable intent of Congress.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Enactment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as a note under section 8701 of this title.

#### SUBCHAPTER VI—PERMANENT PRICE SUPPORT AUTHORITY

### § 7301. Suspension and repeal of permanent price support authority

#### (a) Agricultural Adjustment Act of 1938

##### (1) Suspensions

The following provisions of the Agricultural Adjustment Act of 1938 [7 U.S.C. 1281 et seq.] shall not be applicable to the 1996 through 2001 crops of loan commodities, peanuts, and sugar and shall not be applicable to milk during the period beginning on April 4, 1996, and ending on December 31, 2002:

(A) Parts II through V of subtitle B of title III (7 U.S.C. 1326-1351) [7 U.S.C. 1321 et seq., 1331 et seq., 1341 et seq., 1351].

(B) Subsections (a) through (j) of section 358 (7 U.S.C. 1358).<sup>1</sup>

(C) Subsections (a) through (h) of section 358a (7 U.S.C. 1358a).<sup>1</sup>

(D) Subsections (a), (b), (d), and (e) of section 358d (7 U.S.C. 1359).<sup>1</sup>

(E) Part VII of subtitle B of title III (7 U.S.C. 1359aa-1359jj).

(F) In the case of peanuts, part I of subtitle C of title III (7 U.S.C. 1361-1368).

(G) In the case of upland cotton, section 377 (7 U.S.C. 1377).

(H) Subtitle D of title III (7 U.S.C. 1379a-1379j).

(I) Title IV (7 U.S.C. 1401-1407).

##### (2) Omitted

#### (b) Agricultural Act of 1949

##### (1) Suspensions

The following provisions of the Agricultural Act of 1949 [7 U.S.C. 1421 et seq.] shall not be applicable to the 1996 through 2002 crops of loan commodities, peanuts, and sugar and

shall not be applicable to milk during the period beginning on April 4, 1996, and ending on December 31, 2002:

(A) Section 101 (7 U.S.C. 1441).

(B) Section 103(a) (7 U.S.C. 1444(a)).

(C) Section 105 (7 U.S.C. 1444b).

(D) Section 107 (7 U.S.C. 1445a).

(E) Section 110 (7 U.S.C. 1445e).

(F) Section 112 (7 U.S.C. 1445g).

(G) Section 115 (7 U.S.C. 1445k).

(H) Section 201 (7 U.S.C. 1446).

(I) Title III (7 U.S.C. 1447-1449).

(J) Title IV (7 U.S.C. 1421-1433d), other than sections 404, 412, and 416 (7 U.S.C. 1424, 1429, and 1431).

(K) Title V (7 U.S.C. 1461-1469).

(L) Title VI (7 U.S.C. 1471-1471j).

##### (2) Repeals

The following provisions of the Agricultural Act of 1949 [7 U.S.C. 1421 et seq.] are repealed:

(A) Section 101B (7 U.S.C. 1441-2).

(B) Section 103B (7 U.S.C. 1444-2).

(C) Section 105B (7 U.S.C. 1444f).

(D) Section 107B [7 U.S.C. 1445b-3a].

(E) Section 108B (7 U.S.C. 1445c-3).

(F) Section 113 (7 U.S.C. 1445h).

(G) Subsections (b) and (c) of section 114 (7 U.S.C. 1445j).

(H) Sections 205, 206, and 207 (7 U.S.C. 1446f, 1446g, and 1446h).

(I) Sections 406 and 427 (7 U.S.C. 1426 and 1433f).

##### (3) Omitted

#### (c) Suspension of certain quota provisions

Section 1340 of this title shall not be applicable to the crops of wheat planted for harvest in the calendar years 1996 through 2002.

(Pub. L. 104-127, title I, §171, Apr. 4, 1996, 110 Stat. 937; Pub. L. 107-171, title I, §1602(d), May 13, 2002, 116 Stat. 213.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Agricultural Adjustment Act of 1938, referred to in subsec. (a)(1), is act Feb. 16, 1938, ch. 30, §2 Stat. 31, which is classified principally to chapter 35 (§1281 et seq.) of this title. Parts II through V and VII of subtitle B of title III of the Act are classified generally to subparts II (§1321 et seq.), III (§1331 et seq.), IV (§1341 et seq.), V (§1351, which was omitted from the Code), and VII (§1359aa et seq.), respectively, of part B of subchapter II of chapter 35 of this title. Part I of subtitle C of title III of the Act is classified generally to subpart I (§1361 et seq.) of part C of subchapter II of chapter 35 of this title. Subtitle D of title III of the Act is classified generally to part D (§1379a et seq.) of subchapter II of chapter 35 of this title. Title IV of the Act was classified generally to subchapter III (§1401 et seq.) of chapter 35 of this title, and was omitted from the Code. For complete classification of this Act to the Code, see section 1281 of this title and Tables.

Sections 1358, 1358a, and 1359 of this title, referred to in subsec. (a)(1)(B)-(D), were repealed by Pub. L. 107-171, title I, §1309(a)(1), May 13, 2002, 116 Stat. 179.

The Agricultural Act of 1949, referred to in subsec. (b)(1), (2), is act Oct. 31, 1949, ch. 792, 63 Stat. 1051, which is classified principally to chapter 35A (§1421 et seq.) of this title. Title III of the Act is classified generally to sections 1447 to 1449 of this title. Title IV of the Act is classified principally to subchapter I (§1421 et seq.) of chapter 35A of this title. Title V of the Act, which was

<sup>1</sup> See References in Text note below.

classified generally to subchapter IV (§1461 et seq.) of chapter 35A of this title, was omitted from the Code. Title VI of the Act is classified generally to subchapter V (§1471 et seq.) of chapter 35A of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1421 of this title and Tables.

#### CODIFICATION

Section is comprised of section 171 of Pub. L. 104-127. Subsec. (a)(2) of section 171 of Pub. L. 104-127 amended section 1373 of this title and enacted provisions set out as a note under section 1373 of this title. Subsec. (b)(3) of section 171 of Pub. L. 104-127 amended section 1441 of this title.

#### AMENDMENTS

2002—Subsec. (a)(1). Pub. L. 107-171 substituted “1996 through 2001” for “1996 through 2002”.

### § 7302. Effect of chapter

#### (a) Effect on prior crops

Except as otherwise specifically provided in this chapter and notwithstanding any other provision of law, this chapter and the amendments made by this chapter shall not affect the authority of the Secretary to carry out a price support or production adjustment program for any of the 1991 through 1995 crops of an agricultural commodity established under a provision of law in effect immediately before April 4, 1996.

#### (b) Liability

A provision of this chapter or an amendment made by this chapter shall not affect the liability of any person under any provision of law as in effect before April 4, 1996.

(Pub. L. 104-127, title I, §172, Apr. 4, 1996, 110 Stat. 938.)

#### Editorial Notes

##### REFERENCES IN TEXT

For definition of “this chapter”, referred to in text, see note set out under section 7201 of this title.

#### SUBCHAPTER VII—COMMISSION ON 21ST CENTURY PRODUCTION AGRICULTURE

### § 7311. Establishment

There is established a commission to be known as the “Commission on 21st Century Production Agriculture” (in this subchapter referred to as the “Commission”).

(Pub. L. 104-127, title I, §181, Apr. 4, 1996, 110 Stat. 938.)

### § 7312. Composition

#### (a) Membership and appointment

The Commission shall be composed of 11 members, appointed as follows:

- (1) Three members shall be appointed by the President.
- (2) Four members shall be appointed by the Chairman of the Committee on Agriculture of the House of Representatives in consultation with the ranking minority member of the Committee.
- (3) Four members shall be appointed by the Chairman of the Committee on Agriculture, Nutrition, and Forestry of the Senate in con-

sultation with the ranking minority member of the Committee.

#### (b) Qualifications

At least 1 of the members appointed under each of paragraphs (1), (2), and (3) of subsection (a) shall be an individual who is primarily involved in production agriculture. All other members of the Commission shall be appointed from among individuals having knowledge and experience in agricultural production, marketing, finance, or trade.

#### (c) Term of members; vacancies

A member of the Commission shall be appointed for the life of the Commission. A vacancy on the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment was made.

#### (d) Time for appointment; first meeting

The members of the Commission shall be appointed not later than October 1, 1997. The Commission shall convene its first meeting to carry out its duties under this subchapter 30 days after 6 members of the Commission have been appointed.

#### (e) Chairperson

The chairperson of the Commission shall be designated jointly by the Chairman of the Committee on Agriculture of the House of Representatives and the Chairman of the Committee on Agriculture, Nutrition, and Forestry of the Senate from among the members of the Commission.

(Pub. L. 104-127, title I, §182, Apr. 4, 1996, 110 Stat. 938.)

### § 7313. Comprehensive review of past and future of production agriculture

#### (a) Initial review

The Commission shall conduct a comprehensive review of changes in the condition of production agriculture in the United States since April 4, 1996, and the extent to which the changes are the result of this chapter and the amendments made by this chapter. The review shall include the following:

- (1) An assessment of the initial success of production flexibility contracts in supporting the economic viability of farming in the United States.
- (2) An assessment of economic risks to farms delineated by size of farm operation (such as small, medium, or large farms) and region of production.
- (3) An assessment of the food security situation in the United States in the areas of trade, consumer prices, international competitiveness of United States production agriculture, food supplies, and humanitarian relief.
- (4) An assessment of the changes in farmland values and agricultural producer incomes since April 4, 1996.
- (5) An assessment of the extent to which regulatory relief for agricultural producers has been enacted and implemented, including the application of cost/benefit principles in the issuance of agricultural regulations.
- (6) An assessment of the extent to which tax relief for agricultural producers has been en-